

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:)	
)	
DANIEL HAROLD BARNES)	Case No. 15-10677-JDL
LINDA MARLINE BARNES)	Chapter 13
)	
Debtors.)	

**RESPONSE OF TRUSTEE OBJECTING TO REQUEST FOR COMPENSATION
CONTAINED IN DEBTORS' OBJECTION TO THE MOTION TO LIFT THE STAY**

COMES NOW John Hardeman, Chapter 13 Trustee, and files his Response objecting to the request for compensation contained in Debtors' Objection to the Motion to Lift the Stay. In support of his Objection, the Trustee would show the Court the following:

The Trustee has no objection to the requested attorney fee of \$500 for representation of the debtors in connection with the motion seeking relief from the automatic stay. Counsel requests authorization to accept direct payment of the \$500 fee from the debtors rather than accepting monthly payments made through the Trustee. Typically, direct payment of the fee would not be allowed under the Chapter 13 Guidelines of this Court. However, the Guidelines allow direct payment of a retainer fee of up to \$750 when debtors seek to retain new counsel. Debtors' current counsel of record has been suspended from practicing in the Bankruptcy Court for the Western District of Oklahoma. To the extent counsel requesting the fee intends to enter an appearance on behalf of the debtors as new counsel, and no other fee has been collected directly from the debtors, the Trustee has no objection to the direct payment of the \$500. To the extent counsel has collected more than \$750 directly from the debtors, inclusive of the current fee sought, the Trustee objects to direct payment of the requested fee.

Wherefore, John Hardeman, Chapter 13 Trustee, objects to the compensation requested in Debtors' Objection to the Motion to Lift the Stay and respectfully requests that his objection be sustained.

Respectfully submitted,

s/Linda Ruschenberg
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CERTIFICATE OF MAILING

This is to certify that on the 7th day of July, 2015, a true and correct copy of the foregoing document was mailed by first-class mail, postage pre-paid, to all parties listed on the attached address list.

s/Linda Ruschenberg